

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

: 19 Cr. 374

v.

MICHAEL AVENATTI,

Defendant.

**AFFIDAVIT OF THOMAS D. WARREN IN SUPPORT OF MOTION TO
WITHDRAW WARREN TERZIAN LLP AS COUNSEL OF RECORD FOR
DEFENDANT MICHAEL AVENATTI**

Thomas D. Warren
Daniel Dubin
WARREN TERZIAN LLP
700 South Flower Street, Suite 1000
Los Angeles, CA 90017
Telephone: (216) 304-4970
tom.warren@warrenterzian.com
daniel.dubin@warrenterzian.com

1. I am an attorney admitted *pro hac vice* to practice in this Court and am a partner in the law firm of Warren Terzian LLP. I make this affirmation based on personal knowledge. If called to testify, I could and would testify competently thereto.

2. Defendant Michael Avenatti is currently represented by Warren Terzian LLP as well as by the Law Offices of Mariel Colon Miro, PLLC, which is based in New York.

3. A nonwaivable conflict of interest has arisen in our representation of Mr. Avenatti that requires our withdrawal as counsel.

4. Prior to learning of this conflict of interest, we had already intended to seek leave from the Court to withdraw as counsel of record for a different reason. I started representing Mr. Avenatti when I was a partner with Pierce Bainbridge Beck Price & Hecht LLP, a law firm with offices in New York, Los Angeles, and Washington, D.C., among other places. The firm's troubles have been well documented. On May 1, 2020, I started a new law firm, Warren Terzian LLP, with three of my colleagues from Pierce Bainbridge. Mr. Avenatti was unable to pay Pierce Bainbridge for the legal services it rendered on his behalf. Despite that fact, when I started Warren Terzian, I agreed to continue to represent Mr. Avenatti because the trial and pretrial deadlines were fast approaching. Since then, however, as a result of the SARS CoV-2 virus, the trial date has been adjourned to October

13, 2020, and will likely be continued again. While we are excited about our future prospects, Warren Terzian is a young Los Angeles firm with no New York office and no attorneys barred in New York, and we have no expectation of any compensation in this case.

5. We anticipate that Mr. Avenatti will shortly request that the Court appoint the Federal Defenders of New York to represent him. In the interim, Ms. Miro will continue to serve as counsel for Mr. Avenatti.

6. A change in counsel will not affect Mr. Avenatti's readiness for trial, whenever it occurs.

7. Mr. Avenatti does not object to Warren Terzian LLP's request to withdraw as counsel.

Respectfully submitted,

Date: July 27, 2020 /s/ Thomas D. Warren
Thomas D. Warren

CERTIFICATE OF SERVICE

I hereby certify that on July 27, 2020, I caused a true and correct copy of the foregoing to be served by electronic means, via the Court's CM/ECF system, on all counsel registered to receive electronic notice.

/s/ Thomas D. Warren

Thomas D. Warren